

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TOUSSAINT DAVIS

Plaintiff,

v.

9:07-CV-321 (GTS/DRH)

WILLIAM CHAPPLE, Chief Deputy; DANIEL G.
MIDDAUGH, Sheriff; DONALD R. NADLER,
Commission of Corrections; ROBERT MYERS,
Shift Commander; LT. GRIFFO, Shift Commander;
KEVIN MILLER, Correctional Officer; BAMBURY,
Correctional Officer; DONALD STOCK, Nurse
Administrator; JANE DOE, Nurse; and HELEN
HEIM, Grievance Coordinator,
Defendants.

Defendants.

ORDER

The above matter comes to me following a Report-Recommendation filed on September 2, 2008 by Magistrate Judge David R. Homer (Dkt. No. 37). Following ten days from the service thereof, the Clerk has sent the entire file to the undersigned. No objections were filed by any of the parties.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, it is

ORDERED, that the Report-Recommendation is hereby **ADOPTED** in its **ENTIRETY**; and it is further

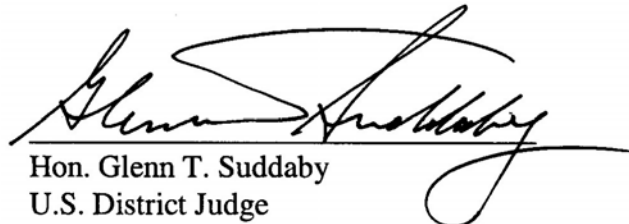
ORDERED, that defendant Nadler's Motion to Dismiss (Dkt. No. 30) is **GRANTED** and that Nadler is **DISMISSED** from this action; and it is further

ORDERED, that the Clerk of Court shall enter judgment dismissing defendant Nadler in this action; and it is further

ORDERED, that the Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: October 20, 2008
Syracuse, New York



Hon. Glenn T. Suddaby
U.S. District Judge